

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20253 of 2016

Dr. Krishna Prasad Son of Dr. Braj Kishore Prasad, Resident of Mohalla-South Church Mithanpura, P.S.- Mithanpura, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. Lalit Narayan Mithila University
2. Vice Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
3. Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga, Dist- Darbhanga. null null
4. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, P
5. The Principal Secretary, Department of Education, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Durga Nand Jha
For the Respondent/s : Mr. Ashutosh Ranjan Pandey, AAG-15

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 5 09-09-2024 1. The petitioner retired form the post of Head of the Department in the faculty of English from M. R. M. College, Darbhanga. He has prayed for payment of his retiral benefits, including the difference of pension, gratuity and another retiral dues.
2. Learned counsel for the Lalit Narayan Mithila University, referring to the counter affidavit, submits that payment in different head, including the arrears of pension, have already been paid to the petitioner.
3. He further submits that a detailed order has been passed



regarding the consideration of the claim of the petitioner in terms of the order passed by this Court in MJC No. 2833 of 2011 (Krishna Prasad v. State of Bihar and Ors.) by the Registrar of the University, which has been annexed at Annexure-A to the counter affidavit filed by the University.

4. In response, a rejoinder affidavit has been filed by the petitioner stating in paragraph no. 6 (E) and 7 that the amount towards 7th Pay Revision implemented w.e.f. 01.04.2017 and pension amount under 7th Pay Revision from 01.04.2019 to 31.12.2019, on account of attaining the age of 80 years, has not been paid to the petitioner, including some dues of gratuity, leave encashment, medical allowance and 50% D. A. merger.
5. Learned counsel for the petitioner also submits that calculation chart towards pension has been annexed as Annexure-P/4 in the rejoinder affidavit and the petitioner is entitled to be paid the pension as per the calculation chart attached at Annexure-P/4.
6. Having heard learned counsel for the parties and taking into consideration the nature of prayer made in the writ application and the stand taken by the petitioner in the



rejoinder, the present writ application is disposed with a direction to the petitioner to file a detailed representation before the Vice Chancellor of the Lalit Narayan Mithila University within a period of one month.

7. If such a representation is filed by the petitioner, the learned Vice Chancellor is directed to dispose the same in accordance with law and by a reason order within a period of three months from the date of receipt of the representation.
8. Needless to say that if any amount is found payable to the petitioner, the same shall be paid to him within a period of one month from the date of disposal of the representation by the learned Vice Chancellor.

(Anil Kumar Sinha, J)

ashwani/-

U			
---	--	--	--

